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FAO Fisheries Technical Paper No. 57
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FIb/T57
RE - Fisheries Councils and Commissions

ESTABLISHMENT, STRUCTURE, FUNCTIONS AND ACTIVITIES OF INTERNATIONAL FISHERIES BODIES

I - Indo-Pacific Fisheries Council (IPFC)

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By
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and
Fisheries Biology Branch

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, 1965

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et

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MFS Editions provisoires des « Manuels FAO de la science des pêches ».

Il arrive que certains documents portent d'autres numéros d'identification, comme c'est le cas s'ils ont été préparés pour une réunion dont les documents ont été marqués à l'aide d'un autre système.

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MFS Ediciones provisionales de los « Manuales FAO de la Ciencia de la Pesca ».

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FIb/T57
RE - Fisheries Councils and Commissions

ESTABLISHMENT, STRUCTURE, FUNCTIONS AND ACTIVITIES OF INTERNATIONAL FISHERIES BODIES

I - INDO-PACIFIC FISHERIES COUNCIL (IPFC)

by

J.E. Carroz
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and
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FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, September 1965

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PREPARATION OF THIS PAPER

This paper contains the text of a Working Paper for the Third Session of the Advisory Committee on Marine Resources Research (Document ACMRR/3/WP.10) and appends, for convenience of readers, the agreement and rules of procedure of the IPFC as last amended in 1961.

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Reviews establishment, structure, functions and activities of IPFC. Appends agreement for the establishment of the council and its rules of procedure.

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1. INTRODUCTION

The importance and efficacy of specialized international bodies in furthering the conservation of the living resources of the sea were stressed by the International Technical Conference on the Conservation of the Living Resources of the Sea, held in Rome in April/May 1955 and by the United Nations Conference on the Law of the Sea, held in Geneva in February/April 1958. The countries participating in the latter adopted a resolution on the subject in which they expressed their belief that international conservation organizations are valuable instruments to co-ordinate scientific effort for the solution of fisheries problems and for reaching agreement on conservation measures. They recommended inter alia that States concerned should co-operate in establishing the necessary conservation régime through the medium of such organizations covering particular areas of the high seas or species of living marine resources.

The Conference and the Council of the Food and Agriculture Organization of the United Nations have also emphasized on several occasions the usefulness of international fisheries commissions and councils and the rôle which the Organization, as the leading intergovernmental body in matters related to fisheries, should play in co-ordinating their efforts.

At its Second Session in February 1964, the FAO Advisory Committee on Marine Resources Research (ACMRR) noted the large degree to which the activities it had discussed were organized on a regional basis, and recognized the importance of regional fisheries councils and commissions in providing machinery for international exchange and collaboration in marine resources research. The Committee considered that collaboration with, and where appropriate assistance to, these bodies should offer the FAO Fisheries Division a most efficient means of discharging its responsibilities. It established a Working Party to propose ways in which the work of the FAO Councils and Commissions might be made more effective in marine resources research. It was realized that the experience of those fisheries bodies which were not set up under the aegis of FAO would also be relevant.

The proceedings, documents and publications of international fisheries bodies are not always readily accessible in countries or to persons who are not directly associated with them. Furthermore, much of the general literature on the exploitation of the resources of the sea makes only passing reference to international fisheries bodies and there exists as yet no systematic and comprehensive study of these bodies.

FAO has therefore decided to issue a series of documents reviewing the establishment, structure, functions and activities of international fisheries bodies. The purpose of these is not to make a critical review of these bodies but simply to present a factual analysis.

The first of these documents deals with the Indo-Pacific Fisheries Council. It was prepared as a background paper for the ACMRR Working Party in view of the specific reference made to this Council in the ACMRR discussions mentioned above. Before being published in this series, it has been checked by the Secretary of the Council. The text of the Agreement establishing the Council and of its Rules of Procedure are for convenience reproduced in an Appendix to this document.

Similar papers dealing with other bodies will be issued in due course. A preliminary version of a study of the Inter-American Tropical Tuna Commission was prepared for the Second Session of the FAO Working Party for Rational Utilization of Tuna Resources in the Atlantic Ocean, held in Rome in July 1965. (Document WPUTR/2/IP 11). It will be issued in this series when it has been checked by the Director of Investigations of the Commission.

2. HISTORY OF THE ESTABLISHMENT OF THE IPFC

The possibility of setting up regional fisheries councils under the aegis of FAO was first discussed at the Second Session of the FAO Conference in September 1946. The Fisheries Committee of the Commission on Technical Questions noted that other international organizations similar to the International Council for the Exploration of the Sea were proposed and that, as a beginning, three were suggested in the following areas: the Mediterranean (where the International Commission for the Scientific Exploration of the Mediterranean already existed before World War II), North America and the Southwestern Pacific. The Committee considered that, in addition, a fourth organization should be consituted for the Southern Africa group of countries lying south of the Equator and including Madagascar.

In January 1947, A Fisheries Conference was convened in Singapore by the Commissioner General of the United Kingdom in South East Asia. The conference discussed the importance of fish as a major protein item in the diet of millions of people in the area and stressed the urgency of increasing supplies by scientific appraisal of resources and technological improvements in methods, gear and vessels. As a means to stepping up the production of fish, the conference resolved that FAO be asked to form a Fisheries Council for the area.

At its Third Session held in August 1947, the FAO Conference recommended that FAO should take action to initiate the formation of regional councils for the scientific exploration of the sea in parts of the world not actively served by similar bodies, giving primary consideration to the following areas: Northwestern Atlantic, Southwestern Pacific and Indian Ocean, Mediterranean Sea and contiguous waters, Northeastern Pacific, Southeastern Pacific, Western South Atlantic, and Eastern South Atlantic and Indian Ocean. The Conference agreed that the boundaries of these areas, and the constitution of the councils, should be left open for discussion and determination by the nations concerned.

On November 17, 1947, the Director-General of FAO informed member governments of his intention to initiate the formation of a regional fisheries council in the Southwestern Pacific and Indian Ocean. In January 1948, invitations were issued to member governments who expressed interest to attend a meeting to be convened in Baguio, Philippine Republic, on February 23, 1948, for the purpose of taking steps which would lead to the immediate establishment of the Council.

Accredited Delegates of eight nations (Burma, China, France, India, Netherlands, Philippines, United Kingdom, and the United States of America) met in Baguio from 23 to 28 February 1948 and formulated an "Agreement for the Establishment of the Indo-Pacific Fisheries Council". In order to ensure continuity, the meeting established four working committees (hydrology, biology, taxonomy and technology) to function informally, in co-operation with the Fisheries Division of FAO, until the entry into force of the Agreement.

In accordance with the provisions of its Article X, the Agreement for the establishment of the IPFC (hereinafter designated as "IPFC Agreement") came into force on 9 November 1948, date of receipt by the Director-General of FAO of the fifth instrument of acceptance.

The seat of the Council is at the seat of the FAO Regional Office for Asia and the Far East (Bangkok, Thailand).

3. AREA COVERED BY THE IPFC AGREEMENT

In the Working Paper submitted to the Baguio Meeting with respect to the geographic area of interest to the IPFC (P48/Co. 1/5), FAO recalled that in its memorandum dated 7 May 1947 on the establishment of fisheries councils for parts of the high seas not actively served by existing bodies, the South East Asia region was defined as follows :

" Southwestern Pacific and Indian Ocean (South East Asia) - the waters bounded by the parallels of latitude 30 deg. north and 60 deg. south, and by meridians of longitude 180 deg. east and 65 deg. east. "

In proposing the boundaries contained in its memorandum of 7 May 1947, FAO had adopted the proposal of the Fisheries Conference convened at Singapore in January 1947 by the Commissioner General of the United Kingdom in South East Asia. The boundaries described by that Conference were based on considerations of ecological and biological unity and affinity and of convenience in conference and collaboration. The view was that within the bulk of the area proposed, the marine and fresh water fauna and environment displayed an essential homogeneity from which departure occurred in perceptible gradient.

However, in the Working Paper submitted to the Baguio Meeting, FAO pointed out that as a principle the enunciation of boundaries was not intended to establish hard and fast lines of demarcation, or to indicate a limitation of effort. Rather, such enunciation served as a description of a zone of maximum interest. It also noted that further consideration of the boundaries suggested that there might well be some revision of both northern and southern boundaries. In respect of the southern boundary it was thought that the parallel of latitude 60 deg. south included within the area certain polar or sub-polar waters which ecologically differed markedly from the remainder of the area and that the selection of a boundary of about 48,5 deg. north latitude might be preferable. In respect of the northern boundary it was pointed out that a line which cut the Chinese coast at the southern limit of Hangchow Bay could not be regarded as a natural dividing line and it was suggested that the boundary should be set either further north or further south.

The Baguio Meeting decided that the geographic area of interest "was sufficiently described by designating the Indo-Pacific area" (Report of the Baguio Meeting, P48/Co. 1/27, p. 5). Therefore, the IPFC Agreement merely provides, in its Article V, that the Council carries out its functions and duties "in the Indo-Pacific area".

It will be remembered that when recommending the formation of regional councils, the Third Session of the FAO Conference listed separately the Southwestern Pacific and Indian Ocean area and the Eastern South Atlantic and Indian Ocean area. At its

Fourth Session in 1948, it noted that the first of these areas was now covered by the recently established IPFC. (Report of the Fourth Session of the FAO Conference, p. 54.)

On the other hand, it may be mentioned that in a Note submitted to the Second Session of the Council, the Secretary indicated that, although the geographic limits of the Indo-Pacific area were perhaps not stated precisely, there was general agreement as to the area which is occupied by the fauna known as Indo-Pacific: "Roughly it extends from somewhere about Easter Island in the east to the African East coast in the west, and from the Asiatic mainland in the north to points in New Zealand, Australia and Africa somewhere slightly south of the tropic of Capricorn. Placement of the approximate limits in the south and in the north-eastern corner of the region on the Asiatic mainland and on the islands of Japan, is even less certain". (Proceedings of the IPFC Second Session, p. 26.)

Mention may also be made of the discussions of the Meeting of Consultants convened jointly by UNESCO and FAO in 1953 to study the establishment of an organization in the Indo-Pacific Region for fundamental oceanographic research. The Meeting recommended "that the term Indo-Pacific Region can be considered for the present purpose to include the water masses between the tropic of Capricorn and 35 deg. north latitude and between the east coast of Africa and 160 deg. longitude east of Greenwich". (Proceedings of the IPFC Fifth Session, p. 35.)

4. STATUS OF THE IPFC IN RELATION TO FAO

The Agreement establishing the IPFC was concluded under the aegis of FAO and comes within the scope of the provisions of Article XIV of the FAO Constitution. This Article governs the conventions and agreements concerning questions relating to food and agriculture (including fisheries) which the Conference and, under certain conditions, the Council of the Organization may approve and submit to Member Nations. It also relates to the bodies which may be established under the conventions and agreements so concluded. At its Ninth Session held in 1957, the FAO Conference recognized that any multilateral convention or agreement between Member Nations may undoubtedly provide for the establishment of a commission or an executive body, but stressed that this should not be an end in itself since under Article VI of the Constitution the Conference and the Council are empowered to establish such bodies merely by a decision on their part. It also emphasized that any convention or agreement concluded under Article XIV of the Constitution amongst Member Nations of the Organization should entail financial or other obligations going beyond those already assumed under the Constitution of the Organization (Report of the Ninth Session of the FAO Conference, paras. 507-708).

Also at its Ninth Session, the FAO Conference adopted a detailed set of principles and procedures which should govern inter alia the conventions and agreements concluded under Article XIV of the Constitution, as well as the constituent rules of the bodies set up thereunder (Resolution 46/57). Parties to existing conventions and agreements were invited t bring them into line with the principles adopted by the Conference. Consequential amendments to the IPFC Agreement and Rules of Procedure were adopted by the Council at its Ninth Session held in 1961 and approved by the FAO Conference at its Eleventh Session held later the same year.

As a body set up by an international agreement concluded under Article XIV of the FAO Constitution *, the IPFC constitutes an entity distinct from the Organization. However, since the Council has been established and operates within the framework of FAO, it is not completely independent. This question was discussed by the FAO Conference at its Ninth Session held in 1957. The Conference made a distinction between the bodies which should be considered as entirely independent entities with only working relations with the Organization and the bodies established within the framework of the Organization under the relevant Articles of its Constitution, including Article XIV. It went on to adopt a Resolution on "semi-independent bodies", which also covers those set up under Article XIV of the Constitution (Resolution No. 47/57).

As main limitations to the autonomy of the IPFC, it may be pointed out that the amendments to the IPFC Agreement which are approved by the required two-thirds majority of all the Members of the Council, become effective only after concurrence of the FAO Council unless the latter considers it desirable to refer the amendments to the Conference of the Organization (Article VIII of the IPFC Agreement). Likewise, the Rules of procedure of the Council and any amendments thereto come into force as from the date of approval by the Director-General of FAO, subject to confirmation by the Council of the Organization (Article II (7) of the IPFC Agreement). Mention may also be made of the report which the Council must transmit biennially to the Director-General of FAO (Article IV (i) of the IPFC Agreement). Other limitations, administrative, financial or otherwise, to the autonomy of the Council, as well as the extent and character of the responsibility of FAO with respect to the Council, are described in detail in the following sections of this paper.

5. MEMBERSHIP OF THE IPFC

5.1 Eligibility

Any Member Nation of FAO may become a Member of the Council by depositing an instrument of acceptance of the IPFC Agreement with the Director-General of FAO. Acceptance of the Agreement takes effect on receipt of such instrument by the Director-General. (Articles I (2) and IX (1) and (3) of the IPFC Agreement.)

Any Associate Member of FAO may become a Member of the Council by depositing an instrument of acceptance of the IPFC Agreement with the Director-General of FAO. Acceptance of the Agreement takes effect on receipt of such instrument by the Director-General. It should be noted that in the case of Associate Members, FAO is requested

* It may be mentioned that the only other existing Fisheries Council established by an agreement concluded under Article XIV of the FAO Constitution is the General Fisheries Council for the Mediterranean. The text of an Agreement for the establishment of a Latin-American Fisheries Council had been approved by the Sixth Session of the FAO Conference in 1951, for submission to Member Nations of the Organization with a view to their acceptance. At its Tenth Session in 1959, noting that since 1951 only two governments had deposited instruments of acceptance of the Agreement, the Conference decided that it should remain open for acceptance until 30 September 1960 and that if by that date the required number of acceptances (five) had not been received, the Agreement should be considered as having been withdrawn. No formal instrument of acceptance having been received since the Tenth Session, the Conference noted at its Eleventh Session in 1961 that the Agreement had been withdrawn.

to submit the IPFC Agreement to the authority having responsibility for the international relations of such Associate Members. (Articles I (2) and IX (1) and (3) of the IPFC Agreement.)

Any non-member nation of FAO which is a Member of the United Nations and wishes to become a Member of the Council must submit an application for membership and a declaration made in a formal instrument that it accepts the IPFC Agreement as in force at the time of admission. The Council may, by a two-thirds majority of its membership, approve such application, in which case the non-member nation of FAO becomes a Member of the Council on the date on which the Council approves the application for membership. However, participation by such a nation in the activities of the Council shall be contingent upon the assumption of a proportionate share in the expenses of the Secretariat, as determined by FAO (Articles I (2) and IX (2) and (4) of the IPFC Agreement).

Participation in the IPFC Agreement is thus dependent upon a country being a Member Nation or an Associate Member of FAO or a Member of the United Nations, whether or not it is situated in the Indo-Pacific area and whether or not its nationals or vessels actually carry out fishing operations in that area. Attention may, however, be drawn to the Preamble of the IPFC Agreement where it is stated that the Governments which agreed to established the IPFC had " a mutual interest in the development and proper utilization of the living aquatic resources of the Indo-Pacific areas ". As to the Baguio Meeting, it adopted a Resolution in which it requested the Director-General of FAO to communicate the IPFC Agreement " to all governments members of FAO " and further resolved that the governments represented at the Meeting and " any other member government that may be interested " be invited to accept the Agreement (Report of the Baguio Meeting, P48/Co. 1/27, p. 10).

All present Members of the Council are Member Nations of FAO. Their territories or the territories for the international relations of which they are responsible are situated in the Indo-Pacific Area. They are :

Countries	Date of receipt of instrument
FRANCE	30 June 1948
PHILIPPINES	23 July 1948
UNITED STATES	3 September 1948
THAILAND	6 October 1948
INDIA	9 November 1948
NETHERLANDS	12 November 1948
BURMA	7 January 1949
CEYLON	21 February 1949
UNITED KINGDOM	28 February 1949
AUSTRALIA	10 March 1949
PAKISTAN	1 August 1949
KOREA	19 January 1950

Countries	Date of receipt of instrument
INDONESIA	29 March 1950 *
VIET-NAM	3 January 1951
CAMBODIA	19 January 1951
JAPAN	3 October 1952
MALAYSIA	15 September 1958

5.2 Territorial application

When accepting the IPFC Agreement, States must indicate explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the new Member is responsible (Article XI of the IPFC Agreement).

The present Members of the Council submitted their instrument of acceptance without stating to which territories their participation extended, since such a declaration was not required under the provisions of the IPFC Agreement in force at that time. The Agreement was amended in this respect in 1961.

5.3 Reservations

Acceptance of the IPFC Agreement may be made subject to reservations, which become effective only upon unanimous approval by the Members of the Council. The Director-General of FAO notifies forthwith all Members of the Council of any reservations. Members of the Council not having replied within three months from the date of the notification are deemed to have accepted the reservation. Failing such approval, the nation making the reservation does not become a party to the Agreement (Article IX (6) of the IPFC Agreement). There has been no need so far to apply this procedure.

5.4 Withdrawal

Any Member may withdraw from the IPFC Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Member, by giving written notice of such withdrawal to the Director-General of FAO. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General (Article XII (1) of the IPFC Agreement).

A Member of the Council may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Member gives notice of its own withdrawal from the Council, it shall state to which territory or territories the withdrawal is to apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the Member of the Council is responsible, except that such

* By letter to the Director-General of FAO dated 12 February 1965, the Government of the Republic of Indonesia has served notice of its withdrawal from the Organization. Withdrawal from FAO implies also withdrawal from the Council. See Section 5.4.

withdrawal shall not be deemed to apply to an Associate Member (Article XII (2) of the IPFC Agreement).

Any Member of the Council that gives notice of withdrawal from FAO shall be deemed to have simultaneously withdrawn from the Council, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Member concerned is responsible, exception being made for Associate Members.

Thus China, which had been a Member of the Council from 31 January 1949, date of receipt of its instrument of acceptance of the IPFC Agreement, ceased to be a Member on 21 July 1952, date of withdrawal of China from FAO. By letter dated 12 February 1965, Indonesia also served notice of its withdrawal from FAO.

After having withdrawn from FAO, a State could eventually submit an application for membership in the IPFC, provided it is a Member of the United Nations.

If the number of Members of the Council should drop below five, the IPFC Agreement would be considered terminated, unless the remaining Members unanimously decide otherwise (Article XIV of the IPFC Agreement).

6. GRANTING OF OBSERVER STATUS TO NATIONS

Members and Associate Members of FAO that are not Members of the Council may, upon their request, be represented by an observer at sessions of the Council and its subsidiary bodies in an observer capacity. (Rule XII (1) of the IPFC Rules of Procedure).

Nations that are not Members of the Council, nor Members or Associate Members of FAO, but are Members of the United Nations may, upon request, and with the approval of the Council of FAO and of the Council, attend sessions of the Council and its subsidiary bodies in an observer capacity (Rule XII (2) of the Rules of Procedure).

In both cases, attendance is governed by the Statement of Principles relating to the granting of observer status to nations, as adopted by the FAO Conference at its Ninth Session in 1957 (Resolution No. 43/57) and as further clarified by the Conference at its Tenth Session in 1959 (Resolution No. 68/59). Unless the Council expressly determines otherwise, observers may attend the plenary meetings of the Council and may participate in the discussions. Observers may also attend and participate in any technical committee meetings except private meetings (Rule XII (4) of the IPFC Rules of Procedure).

At the Eleventh Session of the IPFC in 1964, Canada, New Zealand and Norway were represented by observers. The Observer of the Government of Norway indicated to the Council that his country had long had a deep interest in the development of the fisheries industry of the Indo-Pacific region and, as an example of this, referred to the work of the Indo-Norwegian Project in India.

7. LIAISON WITH OTHER INTERNATIONAL BODIES

The IPFC Agreement provides in its Article VI, on co-operation with international bodies, that the Council shall co-operate closely with other international bodies in matters of mutual interest.

In a special motion, the Baguio Meeting drew the attention of the proposed IPFC to the need for the avoidance of duplication of effort between the proposed IPFC and any similar bodies created by other international organizations (Report of the Baguio Meeting, p. 11). The FAO Conference also noted that it was important that FAO regional bodies, including those specializing in fisheries, co-operate fully with other regional bodies in the same fields in order to reduce duplication (Report of the Fifth Session of the FAO Conference, p. 21). The IPFC itself considered this question on several occasions. At its Third Session held in 1951, it received a report from a Special Committee which had met to consider the question of relationship with other international organizations, and resolved in particular that it would be useful to have a courtesy liaison with as many international organizations as possible when those organizations are interested in the subjects which are the concern of the Council (Proceedings of the IPFC Third Session, p. 8).

Participation of international organizations in the work of the Council and the relations between the Council and such organizations are governed by the relevant provisions of the Constitution and the General Rules of FAO as well as by the rules on relations with international organizations adopted by the Conference or the Council of the Organization. All such relations are dealt with by the Director-General of the Organization (Rule XII (3) of the IPFC Rules of Procedure).

At several of its Sessions, the FAO Conference has examined the question of co-operation with international organizations, both governmental and non-governmental, and has adopted a policy and laid down guiding lines in the matter. (FAO Basic Texts, Volume II.) FAO has concluded formal relationship agreements with a certain number of international intergovernmental organizations. Formal relations with international non-governmental organizations take one of three forms according to the importance of their field of activity in relation to the activities of FAO. These are consultative status, specialized consultative status or liaison status.

In practice, the type of co-operation varies and may include reciprocal representation at meetings by accredited observers, exchange of publications, exchange of information, personal contacts, etc.

Particular mention should be made of the co-operation between the IPFC and the Intergovernmental Oceanographic Commission established within the framework of UNESCO. At its Second Session held in February 1964, the FAO Advisory Committee on Marine Resources Research had strongly recommended that the fisheries interests be adequately represented in the planning of international oceanographic projects sponsored by the Intergovernmental Oceanographic Commission and that close collaboration continue between the Commission and the regional fisheries bodies (ACMRR/2/WP.26, Recommendation 16). The Commission itself, at its Third Session held in June 1964, adopted resolutions on the fisheries aspects of the International Indian Ocean Expedition and of the Co-operative Study of the Kuroshio and Adjacent Regions, and recommended that advantage be taken in this respect of the forthcoming session of the IPFC (UNESCO/NS/191, Resolution III-3 and III-5). At its Eleventh Session held in October 1964, the IPFC discussed these matters and made appropriate recommendations.

The following bodies, in addition to FAO, were represented by accredited observers at the Eleventh Session of the IPFC in 1964: the General Fisheries Council for the Mediterranean, the Pacific Science Association, the South Pacific Commission, the Pan-Indian Ocean Science Association, the Intergovernmental Oceanographic Commission, the United Nations Organization, the United Nations Technical Assistance Board and the United Nations Educational, Scientific and Cultural Organization.

8. FUNCTIONS OF THE IPFC

8.1 Scope of functions

When discussing, at its Third Session in 1947, the proposed establishment of regional fisheries councils, the FAO Conference stressed that the full utilization of the resources of the sea must rest upon scientific inquiry and noted that these councils would furnish the means of furthering this end by international co-operation. At its Fourth Session in 1948, the Conference emphasized again that basic knowledge on sea and fresh-water fisheries was essential to secure a maximum continuous yield. It went on to say that the facets of the scientific problems involved were so intricate and the field so extensive and international in nature, that it was beyond the capacity of any one nation to secure adequate information by itself in a completely effective manner (Report of the Fourth Session of the FAO Conference, p. 53).

The preamble to the IPFC Agreement refers in a general way to the mutual interest of the Contracting Parties "in the development and proper utilization of the living aquatic resources of the Indo-Pacific areas" and to their desire " to further the attainment of these ends through international co-operation ". The functions and duties assigned to the Council with these ends in view are specified in detail in Article IV of the Agreement. They were summarized as follows by the Executive Committee of the IPFC in a report submitted to the Council at its Fourth Session (Proceedings of the IPFC Fourth Session, p. 24):

1. To formulate problems.
2. To recommend research and developmental projects.
3. To encourage and co-ordinate research.
4. To effect standardization.
5. To undertake research and developmental projects.
6. To assist in the procurement of essential materials.
7. To publish.
8. To report on particular problems.
9. To report to FAO.

The functions of the Council are very broad, in the sense that they cover both in marine and fresh waters the biological, environmental, scientific and technical aspects of the problems of development and proper utilization of living aquatic resources. The present terms of reference of the two Technical Committees of the Council may serve to illustrate the extent of its attributions. The Council may thus refer to the Committee for Hydrology and Biology problems dealing with (1) the aquatic biosphere and the physical and chemical phenomena required for proper understanding thereof; (2) identification and description of the natural units of the stocks of aquatic organisms; (3) migratory, feeding and reproductive habits; (4) rates and causes of recruitment, growth and mortality; (5) the measurement and analysis of population levels and their fluctuations and the effect of fishing operation thereon; and (6) increasing fish-

cultural production through the development and application of biological techniques. It may refer to the Technical Committee on Technology problems dealing with (1) the capture, preservation, processing, distribution, marketing and consumption of fish and fishery products; (2) fishpond engineering and, with reference to the foregoing: (3) equipment, facilities and techniques; (4) statistics; and (5) economic factors such as financing and manpower.

8.2 Nature of functions

It should be pointed out that the functions of the Council are essentially advisory in character. Unlike certain international fisheries commissions operating in other parts of the world, the Council does not have the power to regulate fisheries by prescribing for example open and closed season, minimum size of mesh for nets, size limits for fish or over-all catch limits. It is only empowered to make recommendations for action by Members on any matters pertaining to its functions (Rule XIV of the IPFC Rules of Procedure). Thus, at its Tenth Session held in 1962, the Council adopted a resolution by which it invited the attention of Member Governments to the urgency of introducing measures for proper management and conservation of marine resources, and confirmed its willingness to give opinion in this matter and to offer its advice upon request (Proceedings of the IPFC Tenth Session, p. 14). At its Eleventh Session held in 1964, the Council made recommendations to Member Governments on a number of subjects, including fisheries credit, fishermen's co-operative societies, economic research, water pollution control, fisheries census, co-operative research in the South China Sea and the Sunda Shelf, co-operative study of the Kuroshio Current, and fishery programmes in the Indian Ocean.

At the close of each session, the conclusions and recommendations of the Council are transmitted to the Director-General of FAO, who circulates them through the Secretary to Members of the Council, nations, Associate Members and international organizations that were represented at the session and makes them available to other Member Nations and Associate Members of FAO for their information (Rule XIII (4) of the IPFC Rules of Procedure). The Director-General may request Members of the Council to supply himself or the Council with information on action taken on the basis of recommendations made by the Council (Rule XIII (6) of the IPFC Rules of Procedure).

At the Eighth Session of the Council, the Delegate for Viet-Nam proposed a recommendation which was accepted by the Council, that Delegates on returning to their respective countries, should emphasize particularly one or more of the Council's recommendations which they consider would be implemented by their Governments and they should particularly seek authorization and means to implement these selected recommendations (Proceedings of the IPFC Eighth Session, p. 16).

Apart from the recommendations to its Member Governments, the Council may also address recommendations to FAO. Such recommendations usually concern publications, the strengthening of the Secretariat, the convening of subsidiary bodies or the organization of training centers and seminars. In addition, since the Governments which make up the IPFC are also represented at sessions of the FAO Conference, the Council can offer advice to its Member Governments as to what, in its opinion, would best be included in the FAO program for the development of fisheries in the Indo-Pacific region (Proceedings of the IPFC Fourth Session, p. 27).

It seems worthwhile to point out that the Baguio Meeting decided to record its opinion that the IPFC should be regarded as the principal organ in those fisheries

matters coming within its competence (Report of the Baguio Meeting, p. 11). In this connection it may be recalled that the FAO Advisory Committee on Marine Resources Research recognised the importance of the regional fisheries councils and commissions in providing machinery for international exchange and collaboration in marine resources research (ACMRR/2/WP.26, Recommendation 14). In addition, the Intergovernmental Oceanographic Commission noted the usefulness of the IPFC sessions as a forum for the discussion of fisheries matters in relation to the execution of oceanographic programmes (UNESCO/NS/191, Resolution III-3).

9. STRUCTURE OF THE IPFC AND ORGANIZATION OF ITS WORK

The IPFC carries out its activities at periodical sessions, during which it is assisted by an Executive committee, Technical Committees and other subsidiary bodies, and by the Secretariat. With a view to ensuring continuity of the Council's work, these latter organs have also important functions to fulfil during the intervals between sessions. The convening and organization of the Council's sessions and the composition and terms of reference of the Council's organs will be successively examined.

9.1 Sessions of the Council

9.1.1 Regular Sessions

Originally, the IPFC Agreement provided for at least one regular session of the Council in every year. The Agreement was amended in this respect at the Eighth Session of the Council in 1958, to permit the sessions to be held at intervals of two years (Article II (4) of the IPFC Agreement). In consultation with the Director-General of FAO, the Council considers at each session whether a session should be held in the second year following and decides the time and place for the next session in accordance with the requirements of the Council's programs and the terms of the invitation of the country in which the session is to be held. If the Council is unable to do so, it takes, in consultation with the Director-General of FAO, a decision as to the calendar year in which the next session is to be held, and the Chairman of the Council, in consultation with the Director-General, is then authorized to fix the time and place of the session, provided that the approval of the majority of the Members of the Council has been secured (Rule II (1) of the IPFC Rules of Procedure).

At its Fourth Session, the Council noted that its functions could better be fulfilled if sessions were alternated between Secretariat Headquarters (Bangkok) and a member country. However, at its Fifth Session, it agreed that there was not sufficient evidence to show that any advantage would accrue from holding alternating sessions between a host country and the site of the Secretariat (Proceedings of the IPFC Fifth Session, p. 5). So far, sessions were held at Singapore (1949), Cronulla (1950), Madras (1951), Quezon City (1952), Bangkok (1954), Tokyo (1955), Bandung (1957), Colombo (1958), Karachi (1961), Seoul (1962) and Kuala Lumpur (1964).

9.1.2 Special Sessions

Special Sessions may be called by the Chairman of the Council, in consultation with the Director-General of FAO, at the direction of the Council, at the direction of the Executive Committee with the approval of a majority of the Members or at the re-

quest of a majority of the Members (Rule II (2) of the IPFC Rules of Procedure). No special session has been called so far.

9.1.3 Voting

Members are represented at sessions of the Council by a single delegate, who may be accompanied by an alternate and by experts and advisers. Each Member has one vote and participation in sessions of the Council by alternates, experts and advisers does not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence (Article II (1) and (2) of the IPFC Agreement). Voting arrangements and procedures are prescribed in detail in Rule IX of the IPFC Rules of Procedure. Where a matter is not specifically provided for, the General Rules of FAO apply mutatis mutandis.

Decisions of the Council are taken by a majority of the votes cast, except when a greater majority is required by the IPFC Agreement or Rules of Procedure. Thus a two-thirds majority of the Council's membership is necessary to amend the Agreement, to adopt and amend the Rules of Procedure, and to admit to membership non-member nations of FAO which are Members of the United Nations (Articles II (7), VIII and IX (2) of the IPFC Agreement). The unanimous assent of the Members of the Council is required when a State accepts the IPFC Agreement subject to reservations (Article IX (6) of the IPFC Agreement).

At its Eighth Session held in 1958, the Council resolved that in view of the continuing nature of much of its work, it was desirable that Delegations of Member Governments should include at least one member who has had previous experience in Council sessions.

9.1.4 Agenda

The agenda of each regular session must necessarily include a certain number of items, in particular: the election of the Chairman and Vice-Chairman; a report of the Executive Committee on its activities including a report of the work performed on behalf of the Council by the Secretariat; a report by the Secretary on the financial affairs of the Council and consideration of the proposed budget for the ensuing two years; and the items referred to the Council by FAO. The agenda also includes, upon approval by the Council, such items as are proposed by the Executive Committee and by Members (Rule IV of the IPFC Rules of Procedure).

As regards items proposed by Members, mention should be made here of the Council's policy to take advantage of its meeting in the territory of a Member country to consider more closely the fishery problems of that country. At its Tenth Session, the Council expressed the hope that such review would result in assistance in the solution of the problems of the host country, greater understanding of these problems by the delegates of other countries, and training opportunities for all participants. It adopted a resolution requesting the Executive Committee, in arranging the program of the Eleventh Session, to provide an appropriate period for consideration of those fishery problems of the host country which the host country might wish to bring forward (Proceedings of the IPFC Tenth Session, pp. 15-16). The Council had before it at its Eleventh Session in 1964 a request from the Government of Malaysia, the host country, to study specific local problems, particularly trawling, marketing and co-operatives, and also to give

consideration to the possible internationalization of the Tropical Fish Culture Research Institute. These matters were discussed and appropriate suggestions and recommendations were made.

As a symposium on a specific subject is arranged on the occasion of each Council's session, the agenda usually includes the selection of a subject for the symposium to be held at the next session. The subject discussed at the Eleventh Session in 1964 was "Increased consumption of fish through improved handling and distribution". The Council adopted a recommendation that the symposium subject for the Twelfth Session should be "Fisheries training and education".

9.2 Executive Committee

The Executive Committee of the IPFC consists of the Chairman, the Vice-Chairman and the immediately retired Chairman of the Council. The Chairman of the Council is also the Chairman of the Executive Committee. The Secretary of the Council is an ex-officio member of the Executive Committee, but without vote (Article III (1) of the IPFC Agreement and Rule X (1) of the IPFC Rules of Procedure).

In the unavoidable absence of one or two members of the Executive Committee from a Committee session, the Chairman has the power to co-opt for that session only the chairman of one or of the two Technical Committees established in accordance with the IPFC Rules of Procedure, to subsitute the absent member or members. However, a permanent member of the Executive Committee must always be present and the number of voting members attending the Committee session cannot exceed three (Article III (1) of the IPFC Agreement and Rule X (2) of the IPFC Rules of Procedure).

The Executive Committee, which meets at least once a year between regular sessions, is entrusted with the general task of directing the conduct of the business and affairs of the Council between its sessions. However, unless they have been previously decided by the Council, issues of policy must be formulated by the Executive Committee as a motion and referred to the Members; upon receipt by the Secretary of affirmative replies from a majority of the Members, the motion is considered adopted. The functions of the Executive Committee also include preparing estimates of expenses for the next succeeding two years, co-ordinating the work of the committees and working parties, and acting as an editorial and publications committee (Rule X (1) of the IPFC Rules of Procedure).

The publications of the IPFC include the Proceedings of the Sessions, the Current Affairs Bulletin, Occasional Papers, Regional Studies and Special Publications.

9.3 Technical Committees, other committees and working parties

Article III of the IPFC Agreement makes reference to the Technical Committees which may from time to time be established in accordance with the Rules governing the procedure of the Council. Rule X (2) provides that there are two Technical Committees, one for hydrology and biology and the other on technology. Their terms of reference, which are determined by the Council and must always be published along with the IPFC Rules of Procedure, have already been quoted in full in Section 8.1 of this paper.

These Committees, which were set up by the Council at its First Session in 1949, meet during the Council's sessions. On several occasions the Council attempted to assess the amount and value of work which can be accomplished by the Committees during intervals between sessions by correspondence alone and discussed the desirability of providing for inter-session meetings. At its Ninth Session held in 1961, it stated that the consensus of the opinion was in favor of such meetings provided the agenda was restricted to one subject (Proceedings of the IPFC Ninth Session, p. 30). But at its Eleventh Session in 1964, it noted that these inter-session meetings would be impracticable so far as the Technical Committees were concerned.

At each regular session, the Chairman of the Council must poll the delegations to determine if they desire membership on Technical Committees for the ensuing two years. Each delegation indicates the person or persons it desires to serve on such Committees (Rule X (2, a) of the IPFC Rules of Procedure). The Council resolved at its Sixth Session in 1955 to recommend to Member Governments that wherever possible each delegation should consist of at least two technically qualified persons to ensure its effective participation in the two Technical Committees, which sit simultaneously (Proceedings of the IPFC Sixth Session, p. 17).

The Technical Committees select from among their members a chairman and a rapporteur who serve for the ensuing two years (Rule X 2, b) of the IPFC Rules of Procedure) and who see to it that as far as possible the work of the Committees is a continuing task and not merely a revival of interest immediately prior to sessions.

The Technical Committees report at each regular session to the Council through the Executive Committee (Rule X (2, c) of the IPFC Rules of Procedure). Consideration of these reports is a mandatory item on the agenda of the Council (Rule IV (1, h) of the IPFC Rules of Procedure). The reports must then be transmitted to the Director-General of FAO through the Council (Article IV (i) of the IPFC Agreement). They are published as the Executive Committee may consider practicable (Rule XIII (8) of the IPFC Rules of Procedure); in fact they are included in the printed version of the Council's proceedings issued after each session. The Council discussed in detail at its Ninth Session in 1961 ways and means to improve the preparation and presentation of these reports (Proceedings of the IPFC Ninth Session, pp. 93-94).

The Technical Committees may establish from time to time sub-committees and/or working parties as may be necessary to comply effectively with their terms of reference or to perform any special functions in pursuance thereof (Rule X (2, d) of the IPFC Rules of Procedure). Since their establishment, the Technical Committees have set up a number of sub-committees and working parties for a limited purpose, some of them being continued at successive sessions. The desirability of convening at least selected ones during the intervals between sessions has been stressed by the Council on several occasions and specific requests were made to FAO to this effect.

Apart from the Technical Committees and their subsidiary bodies, the IPFC Agreement provides that the Council may establish temporary, special or standing committees to study and report on matters pertaining to the purpose of the Council. It may also establish working parties to study and recommend on specific technical problems (Article III (2) and (3)). The IPFC Rules of Procedure indicate that the Council may establish at regular sessions such committees and/or working parties as may be necessary to consider matters which do not fall within the terms of reference of its Technical Committees or which may be common to both; they also contain provisions regarding their establishment and organization (Rule X (3), (4) and (5)).

At its Eleventh Session, the IPFC abolished the sub-committees set up at previous sessions and decided to establish the following working parties: the Working Party on Trawling, the Working Party on Statistics, the Working Party on Rastrelliger, the Working Party on Fresh (Wet) Fish Preservation and the Working Party on Tuna.

Admittedly, a close examination of the relevant provisions of both the IPFC Agreement and Rules of Procedure shows that the general question of the subsidiary bodies of the Council is very complex. Problems also arose in practice as regards the best way to make these bodies fully efficient. The Council has devoted much attention to this subject, especially at its Ninth and Tenth Sessions. At its Eleventh Session held in 1964, the Council took note of the fact that the Government of Australia will sponsor an amendment to the IPFC Agreement in relation to the constitution, terms of reference and operation of the Council's subsidiary bodies. The Executive Committee was requested to examine this matter and in particular to consider the question of revision of the terms of reference of the two Technical Committees in the light of the proposal to rearrange the branches and sections of the FAO Fisheries Division into two parts with a prospect of these parts becoming Divisions within a Department.

9.4 Secretariat

The Secretariat of the Council is provided by FAO (Article II (6) of the IPFC Agreement). It consists of the Secretary and such staff responsible to him as may be determined by the Director-General of the Organization (Rule V (1) of the IPFC Rules of Procedure).

The Secretary to the Council is appointed by the Director-General to whom he is administratively responsible. He is currently the FAO Regional Fisheries Officer for Asia and the Far East. He is assisted by the other fisheries officers stationed at the Regional Office and, during sessions, by the staff detailed from Headquarters to service the Technical Committees and their subsidiary bodies.

The Secretary is responsible for the preparation of the Council sessions. In particular, he must send a provisional agenda to Members and observer nations, Associate Members and organizations not less than sixty days before the date fixed for the opening of the session, together with reports and documents available in connection therewith (Rule IV (3) of the IPFC Rules of Procedure). At each session, he receives the credentials of the delegations and observers, and reports thereon for action by the Council (Rule III of the IPFC Rules of Procedure). The duties of the Secretary further include the receipt, collation and circulation of documents, reports and resolutions of the sessions of the Council and its committees, the preparation of the records of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Council or the Executive Committee may direct (Rule V (2) of the IPFC Rules of Procedure).

In addition, the Secretary exercises the functions of the Chairman and Vice-Chairman in the event that both the Chairman and Vice-Chairman are unable to serve because of death, resignation or their ceasing to represent their governments (Rule VII (4) of the IPFC Rules of Procedure).

The activities of the Secretariat are particularly important to ensure an adequate follow-up during the intervals between sessions. It will be remembered in that connection that the Secretary is an ex-officio member, without vote, of the Executive

Committee. The importance of the Secretariat may best be illustrated by mentioning that of the many ways which have been examined to improve Council work between sessions, such as convening meetings of subsidiary bodies or establishing National IPFC Committees, one of the most effective was considered by the Council to be the strengthening of the Secretariat (see in particular Proceedings of the IPFC Sixth Session, p. 17).

10. FINANCING

According to the principles and procedures laid down by the FAO Conference at its Ninth Session (1957), bodies established under Article XIV of the FAO Constitution fall into one of the three following categories:

(a) bodies entirely financed by FAO;

(b) bodies that, in addition to being financed by FAO, may undertake co-operative projects financed by members of the body;

(c) bodies that, in addition to being financed by FAO, have autonomous budgets.

The IPFC belongs to the second of these categories.

10.1 Financial obligations of Members

For countries which are Member Nations or Associate Members of FAO, membership of the Council does not entail payment of any regular contribution beyond and above their contribution to the budget of FAO. It may be noted that at the Seventh Session of the FAO Conference in 1953, the difficulty of financing the Regional Fisheries Councils with their expanding activities was appreciated and it was considered that in the future the participating countries might reasonably be asked to contribute part of the costs incurred by FAO in its role as Secretariat to the bodies (Report of the Seventh Session of the FAO Conference, p. 79). At its Ninth Session held in 1957, the Conference indicated again that with the increase in the number of activities of the Regional Fisheries Councils, it was apparent that the cost of servicing them should be studied, and that a policy should be recommended which would recognize the extent of FAO's role (Report of the Ninth Session of the FAO Conference, para. 260). But it seems that the idea was not pursued further.

Non-member nations of FAO which are Members of the United Nations and are admitted to membership of the IPFC can participate in the activities of the Council only if they assume a proportionate share in the expenses of the Secretariat, as determined by FAO (Article IX (2) of the IPFC Agreement). The amount of this share is fixed by the Director-General of FAO except as otherwise decided by the Conference or the Council of the Organization (Report of the Eleventh Session of the FAO Conference, 1961, para. 548).

The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the IPFC and the expenses of representatives on committees or working parties are determined and paid by their respective governments (Article VII (1) of the IPFC Agreement).

In addition, the expenses incurred in connection with co-operative research or development projects which are recommended by the Council to its Members or undertaken by the Council are determined and paid by the Members in the form and proportion to which they mutually agree. Prior to implementation, co-operative projects must be submitted to the Council of FAO. Contributions for such projects are then paid into a trust fund to be established by FAO and are administered by the Organization in accordance with its financial regulations and rules (Article VII (4) of the IPFC Agreement).

So far, no co-operative projects have been carried out and financed out of a trust fund so established. It should be noted, however, that the procedure described above is not mandatory and that Article VII (4) of the IPFC Agreement lays it down for cases where expenses are not "otherwise available". Thus certain of the co-operative projects considered by the Council at its Eleventh Session held in 1964, such as the co-operative research project in the South China Sea and the Sunda Shelf or the program of fishery oceanography for the Indian Ocean, might be financed out of international funds and be implemented for example as Special Fund Projects. It can also be mentioned that the Council discussed a suggestion that the Tropical Fish Culture Research Institute at Malacca be internationalized to become a Regional International Fish Culture Research and Training Institute; the Committee appointed to consider this suggestion has been requested to examine, in consultation with the Director-General of FAO, ways in which the costs of operation of the Institute might be met, both on a short-term basis and in the long run.

10.2 Financial obligations of FAO

The expenses of the Secretariat, including publications and communications, and of the Chairman, Vice-Chairman and the immediately retired Chairman of the Council when performing duties connected with its work during intervals between its sessions, are determined and paid by FAO (Article VII (2) of the IPFC Agreement). With respect to such expenses, the IPFC approves at each session a proposed budget for the next two succeeding financial years and forwards it to the Director-General of FAO for consideration in the preparation of the general budget estimates of the Organization. When adopted by the FAO Conference in its biennial sessions as part of the general budget of the Organization, the budget of the IPFC constitutes the limits within which funds may be committed for purposes approved by the Conference (Rule XI (2) and (3) of the IPFC Rules of Procedure). It is normally divided up into four items, i.e. Executive Committee travel, printing, meeting and miscellaneous, and presently amounts to a few thousand dollars per year.

This budget, however, does not cover all expenses incurred by FAO in servicing the IPFC. Thus, it does not include the post of Secretary to the Council, the servicing of the Technical Committees by FAO officers detailed from Headquarters and the posts of other FAO fisheries officers and consultants in the region. It should be pointed out that there is indeed a close relationship between the Council's activities and FAO work in the region. The Council itself noted that since the Members of IPFC are, without exception, Member Nations of FAO, work carried out at the direction of FAO by the Secretariat staff may be held to be at least partly on behalf of Members of the Council (Proceedings of the IPFC Second Session, p. 11). On the other hand, the FAO Conference recognized that the subject matters to which the Council directs its attention have a great deal in common with those that fall within the responsibility of the outposted fishery officers in the region, and that the staff of the Fisheries Division, in servicing the Council, are thereby enabled to carry out more effectively the Organization's fisheries program in the region (Report of the Tenth Session of the

FAO Conference, para. 228). On several occasions, the Council requested FAO to increase the technical staff of the Regional Office by assigning specialists on fisheries matters. At its Twelfth Session held in 1963, the FAO Conference endorsed the Director-General's proposal to strengthen regional work in the field of fisheries by the engagement of consultants to assist the regional fisheries councils and commissions and by outposting more technical staff to the regions (Report of the Twelfth Session of the FAO Conference, para. 155). The Council was informed at its last session, held in 1964, that FAO hoped to appoint a regional fisheries statistician under EPTA in 1965. A fish culture specialist might also be appointed in 1965. Stressing the great need which exists for other technicians, the Council requested FAO to assign craft and gear technicians at the Regional Office in Bangkok.

In addition, the expenses of experts invited, with the concurrence of the Director-General of FAO, to attend meetings of the Council, committees or working parties in their individual capacity are borne by the budget of FAO (Article VII (5) of the IPFC Agreement).

The IPFC is also dependent on FAO for convening the committees and working parties referred to in the preceding Section. The establishment of such committees and working parties is subject to the availability of the necessary funds in the relevant chapter of the approved budget of FAO; the determination of the availability of funds is made by the Director-General of the Organization. Before taking any decision involving expenditures in connection with the establishment of committees and working parties, the Council must have before it a report from the Director-General on the administrative and financial implications thereof (Article II (4) of the IPFC Agreement).

Furthermore, a certain number of training centers and seminars were organized in the past under the joint auspices of FAO and IPFC. Such centers and seminars have usually been financed out of EPTA funds. At its last session in 1964, the Council requested FAO to organize training centers on statistics, boat building and induced spawning of fish through hormone injection.

As a general principle, all recommendations of the IPFC having financial implications for FAO must be brought by the Director-General to the attention of the Conference through the Council of FAO for appropriate action (Rule XIII (5) of the IPFC Rules of Procedure).

APPENDIX

AGREEMENT AND RULES OF PROCEDURE OF THE INDO-PACIFIC FISHERIES COUNCIL

as last amended by the Ninth Session of
the Indo-Pacific Fisheries Council
Karachi, Pakistan (6-23 January 1961)

and

approved by the Eleventh Session of the Conference of
the Food and Agriculture Organization of the United Nations
Rome, Italy (4-24 November 1961)

AGREEMENT

PREAMBLE

The Governments of Burma, China, France, India, the Netherlands, the Republic of the Philippines, the United Kingdom and the United States of America, Members of the Food and Agriculture Organization of the United Nations, having a mutual interest in the development and proper utilization of the living aquatic resources of the Indo-Pacific areas, and desiring to further the attainment of these ends through international co-operation by the establishment of an Indo-Pacific Fisheries Council, agree as follows:

ARTICLE I

The Council

1. The contracting Governments agree to establish within the framework of the Food and Agriculture Organization of the United Nations (hereinafter referred to as "the Organization"), a Council to be known as the Indo-Pacific Fisheries Council, for the purpose of carrying out the functions and duties hereinafter set forth in Article IV.

2. The Members of the Council shall be such Member Nations and Associate Members of the Organization and such non-member nations of the Organization which are Members of the United Nations that accept this Agreement in accordance with the provisions of Article IX thereof. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV-5 of the Constitution and Rule XXXI-3 of the General Rules of the Organization, be submitted by the Organization to the authority having responsibility for the international relations of such Associate Members.

ARTICLE II

Organization

1. Each Member shall be represented at sessions of the Council by a single delegate, who may be accompanied by an alternate and by experts and advisers. Participation in sessions of the Council by alternates, experts and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.

2. Each Member shall have one vote. Decisions of the Council shall be taken by a majority of the votes cast, except when a greater majority is required by this Agreement or by the Rules governing the procedure of the Council. A majority of the total membership of the Council shall constitute a quorum.

3. The Council shall at each regular session elect a Chairman and a Vice-Chairman who shall serve until the end of the next regular session.

4. The Chairman of the Council in consultation with the Director-General of the Organization shall convene a regular session of the Council at least once in every two years unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Council in consultation with the Director-General of the Organization.

5. The seat of the Council shall be at the seat of the Regional Office of the Organization most conveniently situated within the area defined in Article V. Pending the establishment of such a Regional Office, the Council shall select a temporary seat within that area.

6. The Organization shall provide the Secretariat for the Council and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.

7. The Council may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure which shall be consistent with the General Rules of the Organization. The Rules of the Council and any amendments thereto shall come into force as from the date of approval by the Director-General of the Organization, subject to confirmation by the Council of the Organization.

ARTICLE III

Committees and Working Parties

1. There shall be an Executive Committee consisting of the Chairman, the Vice-Chairman and the immediately retired Chairman. In the unavoidable absence of one or two members of the Executive Committee from a Committee session, the Chairman shall have the power to co-opt the chairman of one or two of the Technical Committees which may from time to time be established in accordance with the Rules governing the procedure of the Council, at his discretion, to subsitute the absent Committee member or members for that Committee session only, provided that one permanent member of the Executive Committee shall always be present and that the number of voting members attending the Committee session shall in no case exceed three.

2. The Council may in addition establish temporary, special or standing committees to study and report on matters pertaining to the purpose of the Council.

3. The Council may establish working parties to study and recommend on specific technical problems. These working parties shall be convened by the Director-General of the Organization at such times and places as are in accordance with the objectives for which they were established.

4. The establishment of committees and working parties referred to in paragraphs 2 and 3 above shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization; the determination of such availability shall be made by the Director-General. Before taking any decision involving expenditures in connection with the establishment of committees and working parties, the Council shall have before it a report from the Director-General on the administrative and financial implications thereof.

ARTICLE IV

Functions

The Council shall have the following functions and duties:

a. To formulate the oceanographical, biological and other technical aspects of the problems of development and proper utilization of living aquatic resources;

b. To encourage and co-ordinate research and application of improved methods in everyday practice;

c. To assemble, publish or otherwise disseminate oceanographical, biological and other technical information relating to living aquatic resources;

d. To recommend to Members such national or co-operative research and development projects as may appear necessary or desirable to fill gaps in such knowledge;

e. To undertake, where appropriate, co-operative research and development projects directed to this end;

f. To propose, and where necessary to adopt, measures to bring about the standardization of scientific equipment, techniques and nomenclature;

g. To extend its good offices in assisting its Members to secure essential material and equipment;

h. To report upon such questions relating to oceanographical, biological and other technical problems as may be recommended to it by Members or by the Organization and other international, national or private organizations with related interests;

i. To transmit biennially to the Director-General of the Organization a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organization as may seem to it necessary or desirable. Reports of the committees and working parties of the Council provided for in Article III of this Agreement shall be transmitted to the Director-General through the Council.

ARTICLE V

Area

The Council shall carry out the functions and duties set forth in Article IV in the Indo-Pacific area.

ARTICLE VI

Co-operation with International Bodies

The Council shall co-operate closely with other international bodies in matters of mutual interest.

ARTICLE VII

Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Council and the expenses of representatives on committees or working parties established in accordance with Article III of this Agreement shall be determined and paid by their respective governments.

2. The expenses of the Secretariat, including publications and communications, and of the Chairman, Vice-Chairman and the immediately retired Chairman of the Council when performing duties connected with its work during intervals between its sessions, shall be determined and paid by the Organization within the limits of a biennial budget prepared and approved in accordance with the Constitution, the General Rules and Financial Regulations of the Organization.

3. The expenses of research or development projects undertaken by individual Members of the Council, whether independently or upon the recommendation of the Council, shall be determined and paid by their respective governments.

4. The expenses incurred in connection with co-operative research or development projects undertaken in accordance with the provisions of Article IV, paragraphs (d) and (e) unless otherwise available shall be determined and paid by the Members in the form and proportion to which they shall mutually agree. Co-operative projects shall be submitted to the Council of the Organization prior to implementation. Contributions for co-operative projects shall be paid into a trust fund to be established by the Organization and shall be administered by the Organization in accordance with the Financial Regulations and rules of the Organization.

5. The expenses of experts invited, with the concurrence of the Director-General, to attend meetings of the Council, committees or working parties in their individual capacity shall be borne by the budget of the Organization.

ARTICLE VIII

Amendments

The Indo-Pacific Fisheries Council may amend this Agreement by a two-thirds majority of all the Members of this Council, any amendment becoming effective only after concurrence of the Council of the Organization unless the latter considers it desirable to refer the amendment to the Conference of the Organization for approval. An amendment shall become effective as from the date of the decision of the Council or Conference of the Organization, as appropriate. However, any amendment involving new obligations for Members shall come into force with respect to each Member only on acceptance of it by that Member. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organization, who shall inform all the Members of the Indo-Pacific Fisheries Council as well as the Secretary-General of the United Nations of the receipt of acceptance and the entry into force of such amendments. The rights and obligations of any Member of the Indo-Pacific Fisheries Council that has not accepted an amendment involving additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.

ARTICLE IX

Acceptance

1. This Agreement shall be open to acceptance by Member Nations and Associate Members of the Organization.

2. The Council may, by a two-thirds majority of its membership, admit to membership such other nations that are Members of the United Nations as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission. Participation by such nations in the activities of the Council shall be contingent upon the assumption of a proportionate share in the expenses of the Secretariat, as determined by the Organization.

3. Acceptance of this Agreement by any Member Nation or Associate Member of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization and shall take effect on receipt of such instrument by the Director-General.

4. Acceptance of this Agreement by non-member nations of the Organization shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organization. Membership shall become effective on the date on which the Council approves the application for membership, in confirmity with the provisions of paragraph 2 of this Article.

5. The Director-General of the Organization shall inform all Members of the Council, all Member Nations of the Organization and the Secretary-General of the United Nations of all acceptances that have become effective.

6. Acceptance of this Agreement may be made subject to reservations, which shall become effective only upon unanimous approval by the Members of the Council. The Director-General of the Organization shall notify forthwith all Members of the Council of any reservations. Members of the Council not having replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval the nation making the reservation shall not become a party to this Agreement.

ARTICLE X

Entry into force

This Agreement shall enter into force upon the date of receipt of the fifth instrument of acceptance.

ARTICLE XI

Territorial Application

The Members of the Council shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the Member is responsible. Subject to the provisions of Article XII below, the scope of the territorial application may be modified by a subsequent declaration.

ARTICLE XII

Withdrawal

1. Any Member may withdraw from this Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Member, by giving written notice of such withdrawal to the Director-General of the Organization, who shall immediately inform of such withdrawal all the Members of the Council and the Member Nations of the Organization as well as the Secretary-General of the United Nations. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General.

2. A Member of the Council may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Member gives notice of its own withdrawal from the Council, it shall state to which territory or territories the withdrawal is to apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the Member of the Council is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

3. Any Member of the Council that gives notice of withdrawal from the Organization shall be deemed to have simultaneously withdrawn from the Council, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Member concerned is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

ARTICLE XIII

Interpretation and Settlement of Disputes

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Council, shall be referred to a committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the members of the committee. The recommendations of such a committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court, unless the parties to the dispute agree to another method of settlement.

ARTICLE XIV

Termination

This Agreement shall be considered terminated if and when the number of Members of the Council drops below five unless the remaining Members of the Council unanimously decide otherwise.

ARTICLE XV

Certification and Registration

The text of this Agreement was originally formulated at Baguio the 26th day of February, one thousand nine hundred and forty eight, in the English language. Two copies in the English and French languages of this Agreement as amended shall after

approval by the Council or Conference of the Organization, as appropriate, be certified by the Chairman of the Conference or Council of the Organization and by the Director-General of the Organization. One of these copies shall be deposited in the archives of the Organization. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each Member Nation of the Organization and to such non-member nations of the Organization that may become parties to this Agreement.

RULES OF PROCEDURE

RULE I

For the purpose of these Rules, the following definitions apply:

Agreement :	The Agreement for the Establishment of the Indo-Pacific Fisheries Council, formulated at Baguio, Philippines, 26th February 1948 as amended in conformity with Article VIII thereof.
Council :	The Indo-Pacific Fisheries Council.
Chairman :	The Chairman of the Council.
Delegate :	The representative of a Member as specified in Article II (1) of the Agreement.
Delegation :	The delegate and his alternate, experts and advisers.
Member :	Member Nations and Associate Members of the Organization and non-member nations of the Organization, as may be Members of the Council.
Secretary :	The Secretary of the Council.
Organization :	The Food and Agriculture Organization.
Conference :	The Conference of the Organization.
Director-General :	The Director-General of the Organization.
Observer Nation, Associate Member or organization:	A non-member nation of the Organization or international organization invited to attend a session of the Council or a Member Nation or Associate Member of the Organization attending a session of the Council while not a member of the Council.
Observer :	The representative of an Observer Nation, Associate Member or organization.
Session :	A properly convened continuing assemblage of delegates which may be adjourned from day to day.
Meeting :	A period of a session during which delegates do not separate except for a short recess.

RULE II

Sessions of the Council

1. In pursuance of, and in accordance with, Article II (4) of the Agreement, the Council, in consultation with the Director-General, shall at each session consider whether a session should be held in the second year following and shall decide the time and place for the next session in accordance with the requirements of the Council's programmes and the terms of the invitation of the country in which the session is to be held. The Chairman, accordingly, shall issue the announcement of the session, provided that, if the Council at a regular session is unable to fix a time and place for the next session, it shall, in consultation with the Director-General, take a decision as to the calendar year in which the next session is to be held, and the Chairman, in consultation with the Director-General, is then authorized to fix the time and place of the session, provided that the approval of the majority of the Members of the Council has been secured.

2. The Chairman, in consultation with the Director-General, may call a special session of the Council at:

(a) the direction of the Council,

(b) the direction of the Executive Committee with the approval of a majority of the Members, or

(c) the request of a majority of the Members.

The Executive Committee, in consultation with the Director-General, shall decide the time and place of such a session.

3. Invitations to a regular session of the Council shall be issued not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for opening of the session.

RULE III

Credentials

At each session, the Secretary shall receive the credentials of the delegations and observers and shall examine and report thereon for action by the Council.

RULE IV

Agenda

1. The agenda of each regular session shall include:

(a) Adoption of the Agenda.

(b) The election of the Chairman and Vice-Chairman as provided for under Article II (3) of the Agreement.

(c) A report of the Executive Committee on its activities during the year including a report of the work performed on behalf of the Council by the

Secretariat.

(d) A report by the Secretary on the financial affairs of the Council.

(e) Consideration of the proposed budget for the ensuing two years.

(f) Proposals for amendments to the Agreement, in accordance with Article VIII of the Agreement and the provisions of Rule XV of these Rules.

(g) Applications for membership in accordance with Article IX (2) of the Agreement from nations which are not members of the Organization.

(h) Reports of Committees.

(i) Consideration of the time and place of the next Session.

(j) Items referred to the Indo-Pacific Fisheries Council by the Conference, Council or the Director-General of the Organization.

2. The agenda shall also include, upon approval by the Council:

(a) Items approved at the previous Session.

(b) Items proposed by the Executive Committee.

(c) Items proposed by a Member.

3. A provisional agenda, consisting of items (a) to (j) of para. 1 of this Rule and such other items as may have been proposed shall be sent by the Secretary to Members and observer nations, Associate Members and organizations not less than sixty days before the date fixed for the opening of the session, together with reports and documents available in connection therewith.

4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called.

RULE V

The Secretariat

1. The Secretariat shall consist of the Secretary and such staff responsible to him as may be determined by the Director-General and shall provide secretarial services for the Council.

2. The duties of the Secretary shall include the receipt, collation and circulation of documents, reports and resolutions of the sessions of the Council and its committees, the preparation of the records of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Council or the Executive Committee may direct.

3. The originator shall send to the Secretary, for information and record, copies of correspondence concerning the affairs of the Council.

RULE VI

Plenary Meetings of the Council

Plenary meetings of the Council shall be held in public unless otherwise decided by the Council. When the Council decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

RULE VII

Election of Chairman and Vice-Chairman

1. The Council shall, during each regular session, elect the Chairman and Vice-Chairman of the Council who shall serve until the end of the next regular session. Nominees shall be duly proposed and seconded from the floor and must be delegates or alternate delegates.

2. The Chairman and Vice-Chairman shall assume office at the end of the regular session in which they are elected. They shall be eligible for re-election.

RULE VIII

Functions of the Chairman and Vice-Chairman

1. The Chairman shall exercise the functions conferred on him elsewhere in these Rules, and in particular shall:

(a) Declare the opening and closing of each plenary meeting of the Council.

(b) Direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions.

(c) Rule on point of order.

(d) Subject to these Rules, have complete control over the proceedings of plenary meetings.

(e) Appoint such ad hoc committees of the session as the Council may direct.

2. The Vice-Chairman shall exercise the functions of the Chairman on the Chairman's absence or at the Chairman's request.

3. The Chairman, or Vice-Chairman when acting as Chairman, shall not vote, and another member of his delegation shall represent his government.

4. The Secretary shall exercise the functions of the Chairman in the event that both the Chairman and Vice-Chairman are unable to serve because of death, resignation or their ceasing to represent their governments.

RULE IX

Voting Arrangements and Procedures

1. Except as provided in para. 4 of this Rule, voting in plenary meetings shall be

oral or by show of hands; except that a vote by roll call shall be taken if a special majority is required by the Agreement of these Rules, or if a request for a vote by roll call is made by any Delegation.

2. A vote by roll call shall be conducted by calling upon delegations in the English alphabetical order of the respective Members.

3. The record of any roll call vote shall show the votes cast by each delegation and any abstentions.

4. Voting on matters relating to individuals, except the election of officers, shall be by secret ballot.

5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairman shall decide between the candidates by drawing lots.

6. If the Council is equally divided when a vote is taken on a question other than an election, a second vote shall be taken at the next meeting of the current Session. If the Council is then again equally divided, the proposal shall be regarded as rejected.

7. Voting arrangements and other related matters not specifically provided for by the Agreement or by these Rules shall be governed "mutatis mutandis" by the provisions of the General Rules of the Organization.

RULE X

Committees

1. The Executive Committee shall consist of the Chairman, the Vice-Chairman and the immediately retired Chairman. The Secretary shall be an ex-officio member without vote. The Chairman shall be the Chairman of the Executive Committee. The Executive Committee shall:

(a) Meet at least once a year between regular Sessions.

(b) In addition to the duties prescribed elsewhere under these Rules, direct the conduct of the business and affairs of the Council between its Sessions, except that issues of policy, unless previously decided by the Council, shall be formulated by the Executive Committee as a motion and referred to the Members. Upon receipt by the Secretary of affirmative replies from a majority of the Members, the motion shall be considered adopted.

(c) Prepare estimates of expenses for the next succeeding two years for presentation to the Council for submission to the Organization, in accordance with the provisions of Article VII (2) of the Agreement.

(d) Co-ordinate the work of the committees and working parties.

(e) Function as an editorial and publications committee.

2. There shall be two technical committees (1) Hydrology and Biology, and (2) Technology, and each Member shall be entitled to membership thereon. The terms of reference of these technical committees shall be determined by the Council and shall always be

published along with these Rules,

(a) At each regular session, the Chairman shall poll the delegations to determine if they desire membership on the technical committees for the ensuing two years. Each delegation shall indicate the person or persons it desires to serve on such committees.

(b) The technical committees shall select a chairman and a rapporteur from among their members, who shall serve for the ensuing two years.

(c) The technical committees shall report to the Council through the Executive Committee at each regular session, and at special sessions subject to Rule IV (4) of these Rules.

(d) The technical committees may establish from time to time such sub-committees and/or working parties as may be necessary to comply effectively with their terms of reference or to perform any special functions in pursuance thereof.

3. The Council may establish at regular sessions such other committees and/or working parties as may be necessary to consider such matters as may not fall within the terms of reference of its technical committees, or which may be common to more than one of them.

(a) The terms of reference of such committees and working parties shall be laid down by the Council at the time of their establishment.

(b) Each committee or working party shall select a chairman from among its members, who shall act as rapporteur.

(c) The committees and working parties shall report to the Council through the Executive Committee either at the Session at which they were appointed or at the next regular session, according to their terms of reference, and the Council shall then decide whether or not they shall continue to operate during the ensuing period.

(d) The committees and working parties may from time to time set up such sub-committees as may be required to comply effectively with their terms of reference as laid down by the Council.

4. The establishment of committees and working parties referred to in paragraphs 2 and 3 above shall be subject to the provisions of Article III (3) of the Agreement.

5. Each committee or working party may adopt and amend its own rules of procedure, which shall be consistent with the Rules of Procedure of the Indo-Pacific Fisheries Council and the General Rules of the Organization. Such rules of procedure shall come into force upon approval by the Council. In the absence of rules of procedure the Rules of Procedure of the Indo-Pacific Fisheries Council shall apply "mutatis mutandis" to its committees and working parties.

RULE XI

Budget and Finance

1. Except as otherwise provided in these Rules, the Financial Regulations of the Organization, as implemented by the financial rules, administrative Manual and memoranda and the procedures based thereon, shall apply to the Council.

2. A proposed budget of the Council for the next two succeeding financial years consisting of proposed expenses of the Secretariat, including publications and communications, and of the proposed travelling expenses of the Chairman and Vice-Chairman when engaged in the work of the Council between its sessions shall, after approval by the Council, be submitted to the Director-General for consideration in the preparation of the general budget estimates of the Organization.

3. When adopted by the Conference in its biennial sessions as part of the general budget of the Organization, the budget of the Council shall constitute the limits within which funds may be committed for purposes approved by the Conference.

RULE XII

Participation by Observers

1. Members and Associate Members of the Organization that are not Members of the Council may, upon their request, be represented by an observer at sessions of the Council and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

2. Nations that are not Members of the Council, nor Members or Associate Members of the Organization, but are Members of the United Nations may, upon request, and with the approval of the Council of the Organization and of the Council, attend sessions of the Council and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

3. Participation of international organizations in the work of the Council and the relations between the Council and such organizations shall be governed by the relevant provisions of the Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations adopted by the Conference or Council of the Organization. All such relations shall be dealt with by the Director-General of the Organization.

4. Unless the Council expressly determines otherwise, observers may attend the plenary meetings of the Council and may participate in the discussions. Observers may also attend and participate in any technical committee meetings except private meetings.

5. In the furtherance of co-operative projects provided for in Article IV (d) and (e) of the Agreement, arrangements may be made with governments that are not Members of the Council. All such arrangements shall be made by the Director-General of the Organization.

RULE XIII

Records, Reports and Recommendations

1. Summary records shall be made of each plenary meeting and each committee meeting, and shall be distributed as soon as possible to the participants at the meeting for their comments. A summary shall be prepared of the proceedings of each session of the Council.

2. As soon as possible after the end of each session of the Council, copies of all summary records and of the summary of the proceedings of the session shall be trans-

mitted by the Secretary to the Members and observer nations, Associate Members and organizations.

3. At each session, the Council shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views.

4. The conclusions and recommendations of the Council shall be transmitted to the Director-General of the Organization at the close of each session, who shall as soon as possible after the session circulate them through the Secretary to Members of the Council, nations, Associate Members and international organizations that were represented at the Session and make them available to other Member Nations and Associate Members of the Organization for their information.

5. Recommendations having policy, program or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for appropriate action.

6. The Director-General may request Members of the Council to supply the Council or the Director-General with information on action taken on the basis of recommendations made by the Council.

7. Pending the formal transmission of the reports of the committees and working parties as provided for in Article IV (i) of the Agreement, the Director-General may, at the request of the Executive Committee, transmit informally these reports to the Members of the Council.

8. Reports of committees, technical papers and other documents shall be published as the Executive Committee may consider practicable.

RULE XIV

Recommendations to Members

1. The Council may make recommendations for action by Members on any matters pertaining to the functions described in Article IV of the Agreement.

2. The Secretary shall receive on behalf of the Council the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session.

RULE XV

Amendments to the Agreement

1. Proposals for the amendment of the Agreement as provided by Article VIII of the Agreement may be made by any Member in a communication addressed to the Secretary. The Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt.

2. No action on a proposal for the amendment of the Agreement shall be taken by the Council at any session unless it has been included in the provisional agenda of the session.

RULE XVI

Suspension and Amendment of Rules

1. Subject to the provisions of the Agreement, any of the foregoing Rules, other than Rules IV, V, X (2), XI, XII, XIII and XV, may be suspended on the motion of any delegation by a two-thirds majority of the votes at any plenary meeting of the Council, provided that announcement is made at a plenary meeting and copies of the proposal for suspension have been distributed to the delegations not less than 48 hours before the meeting at which action is to be taken.

2. Amendments of, or additions to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the votes cast at any plenary meeting of the Council, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition has been distributed to delegations not less than 24 hours before the meeting at which action is to be taken.

3. The Executive Committee may propose amendments and additions to these Rules, and any such proposals may be considered at the next session of the Council.

4. Any amendment to Rule XV, which may be adopted in accordance with the provisions of para. 2 of this Rule, shall not become effective until the next session of the Council.

RULE XVII

Official Languages

The official languages of the Council shall be English and French. Delegations may use either language at sessions; reports, manuscripts and communications may be written in either language; publication of reports and manuscripts shall be in the language in which they are submitted and, when required by the Council or the Executive Committee, abstracts in translation may be published.

TERMS OF REFERENCE OF THE TECHNICAL COMMITTEES

The Council may refer to the technical committees specific problems, and the committees shall study and report thereon with recommendations, for Council action. The Council may refer to:

(a) The Committee for Hydrology and Biology: specific problems of the development and proper utilization of the fishery resources, and dealing with (1) the aquatic biosphere and the physical and chemical phenomena required for proper understanding thereof; (2) identification and description of the natural units of the stocks of aquatic organisms; (3) migratory, feeding and reproductive habits; (4) rates and causes of recruitment, growth and mortality; (5) the measurement and analysis of population levels and their

fluctuations and the effect of fishing operation thereon; and (6) increasing fish-cultural production through the development and application of biological techniques.

(b) The Committee on Technology: specific problems of the development and proper utilization of the fisheries, and dealing with (1) the capture, preservation, processing, distribution, marketing and consumption of fish and fishery products; (2) fishpond engineering and, with reference to the foregoing: (3) equipment, facilities and techniques; (4) statistics; and (5) economic factors such as financing and manpower.

FAO FISHERIES TECHNICAL PAPERS (RE)

This is one of a group of Technical Papers (see inside front cover) giving information about persons, institutions and organizations conducting research on, or interested in, a particular subject within the general field of aquatic sciences and fisheries. Some of these technical documents are selected lists of institutions or research workers, others are summaries or critical analyses of the functions and activities of a particular institute or organization. Further information and extra copies can be obtained from:

Documentation Unit
Research Programs Section
Biology Branch, Fisheries Division
FAO, Rome, Italy.

(Papers issued since January 1964)

FIb/T15(Rev. 1)	A list of inland fishery workers in Europe	April 1964
FIb/T44(Rev. 1)	A world list of experts concerned with the study of the biology and culture of shrimps and prawns	January 1965
FIb/T57	Establishment, structure, functions and activities of international fisheries bodies I - Indo-Pacific Fisheries Council (IPFC)	September 1965

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